

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 224, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 12-17.2-5-4 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 4. The following
- 4 constitute sufficient grounds for a denial of a license application:
- 5 (1) A determination by the division of child abuse or neglect (as
- 6 defined in IC 31-9-2-14) by the applicant.
- 7 (2) A criminal conviction of any of the following:
- 8 (A) A felony.
- 9 (B) A misdemeanor related to the health and safety of a child.
- 10 (C) **A misdemeanor for operating a child care home**
- 11 **without a license.**
- 12 (3) A determination by the division that the applicant made false
- 13 statements in the applicant's application for licensure.
- 14 (4) A determination by the division that the applicant made false
- 15 statements in the records required by the division.
- 16 (5) **A determination by the division that the applicant**
- 17 **previously operated a child care home without a license in**
- 18 **violation of this chapter.**
- 19 SECTION 2. IC 35-46-1-4.5 IS ADDED TO THE INDIANA CODE
- 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 21 1, 2002]: Sec. 4.5. (a) **As used in this section, "child care" means**
- 22 **providing for the care, health, safety, and supervision of a child's**
- 23 **social, emotional, and educational growth.**
- 24 (b) **As used in this section, "child care provider" means a person**
- 25 **who provides child care in or on behalf of:**
- 26 (1) **a child care center licensed under IC 12-17.2-4; or**

1 **(2) a child care home licensed under IC 12-17.2-5.**
2 **(c) If:**
3 **(1) a child care provider recklessly supervises a child; and**
4 **(2) as a result of the provider's reckless supervision, the child**
5 **dies;**
6 **the child care provider commits reckless supervision of a child, a**
7 **Class C felony.**
8 SECTION 3. [EFFECTIVE JULY 1, 2002] **IC 35-46-1-4.5, as**
9 **added by this act, applies only to crimes committed after June 30,**
10 **2002.**
 (Reference is to SB 224 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal & Civil Procedures.

GARTON

Chairperson